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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK C. ROKITA, JR.  
*Petitioner,*

v.

CIVIL ACTION  
NO. 18-5183

BARRY SMITH; THE DISTRICT  
ATTORNEY OF THE COUNTY  
OF MONTGOMERY; and,  
ATTORNEY GENERAL OF PA  
*Respondents.*

ORDER

**FILED**

MAR - 4 2020

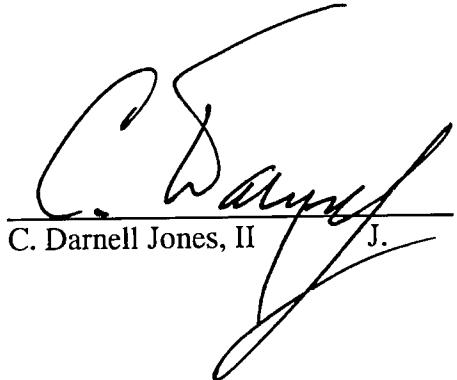
KATE BARKMAN, Clerk  
By \_\_\_\_\_ Dep. Clerk

AND NOW, this 4<sup>th</sup> day of March 2020, upon careful and independent consideration of:  
the Petition for a Writ of Habeas Corpus (ECF No. 1); Petitioner's Memorandum (ECF No. 6);  
Respondents' Response (ECF No. 5); pertinent state court records; the Report and  
Recommendation of United States Magistrate Judge Marilyn Heffley (ECF No. 7); Petitioner's  
Objections thereto (ECF No. 10); and, the Montgomery County District Attorney's Response  
(ECF No. 14), it is hereby ORDERED as follows:

1. Petitioner's Objections (ECF No. 10) are OVERRULED in accordance with this Court's accompanying Memorandum;
2. The Report and Recommendation (ECF No. 7) is APPROVED and ADOPTED;
3. The Petition for a Writ of Habeas Corpus (ECF No. 1) is DENIED with prejudice;
4. A Certificate of Appealability SHALL NOT ISSUE; and,

5. The Clerk of Court shall mark this matter CLOSED.

BY THE COURT:

  
C. Darnell Jones, II J.